

Message

From: Stephen Fotis [scf@vnf.com]
Sent: 8/28/2018 1:38:29 AM
To: Johnson, Barnes [Johnson.Barnes@epa.gov]; Owens, Regina [owens.regina@epa.gov]
CC: Cook, Steven [cook.steven@epa.gov]; Talley, Robert [rob@talleyandassociatesinc.com]
Subject: Materials for Tuesday, 2 PM Meeting on CCR Closure Issues
Attachments: Technical support for beneficial use extension of closure deadlines.DOCX; Extension of Closure Deadlines.DOCX; Proposed Fixes to CCR Closure Regulations - 40 C.F.R. 257.102 (Criteria for conducting closure).DOCX; NC Coal Ash.pdf; VA Coal Ash.pdf; CU Presentation.PDF

Barnes and Regina – Please find attached the materials that we plan to discuss at our upcoming meeting scheduled for 2 PM, Tuesday August 28. This meeting is a follow-up to discussions that Rob Talley and I had with Steven Cook and various staff in late July on two CCR closure issues. The first issue pertains to the applicability of the groundwater monitoring requirements to inactive surface impoundments that have completed clean closure before the applicable groundwater monitoring deadline for inactive impoundments (April 17, 2019). As we discussed during that July meeting, it does not make sense and would not be a good use of limited resources to require the completion of groundwater monitoring in the case of those impoundments for which clean closure has already been completed. The second closure issue relates to securing additional time for completing closure when the additional time is needed to remove the CCR materials for beneficial closure at units subject to forced closure. As you know, the current rules impose an inflexible 5-year deadline for completing closure in the case of those surface impoundments subject to the forced closure requirements of section 257.101. Completing closure within this 5-year period is simply not enough time for those impoundments wanting to remove the CCR for beneficial use.

The purpose of this meeting is provide you with additional information on each closure issue and discuss possible ways to address these concerns while ensuring protection of human health and the environment. Please forward these materials to any other staff who has been invited to participate in our meeting.
Many thanks and look forward to talking with you tomorrow.

Best,
Stephen

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